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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Buchwald, S.L. et al.

Application No: 10/731,702

Filed: December 9, 2003

For: *Ligands For Metals and Improved
Metal-Catalyzed Processes Based
Thereon*

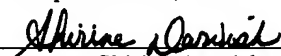
Examiner: Not Yet Known

Art Unit: 1626

Attorney Docket No.: MTV-014.05

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 20, 2004


Shirine Darvish

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97(b)(3)

Sir:

Submitted herewith on Form PTO-1449 is a listing of a European published patent application known to Applicants and/or their attorney in compliance with the requirements of 37 C.F.R. §§ 1.56 and 1.97. Further, the document was cited in an Office Action, issued on 09 August 2004, in a related pending U.S. application. A copy of the published patent application is provided.

This Supplemental Information Disclosure Statement is being submitted within three months of the citation of the published patent application in the related U.S. application, and before the mailing date of a first Office Action on the merits in the instant application; therefore, the Applicants believe no fee is due.

Applicants respectfully request that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached Form PTO-1449.

This submission does not represent that a search has been made or that no better art exists. *See* 37 C.F.R. § 1.97(g). Nor does it constitute an admission that the listed document is material or constitutes "prior art." *See* 37 C.F.R. § 1.97(h).

If the Examiner applies the cited document as prior art against any claim in this application or related application and Applicants determine that the listed document does not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of said document.

Applicants further reserve the right to take appropriate action to establish the patentability of claims over the listed document, should the cited document be applied against the claims of the present application or related applications.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account, No. 06-1448.

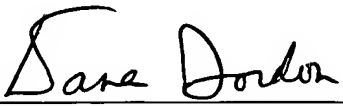
Respectfully submitted,

FOLEY HOAG LLP

Date: September 20, 2004

Customer No.: 25181

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